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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 MOUNTAINEERS FOUNDATION,

10 Plaintiff,

11 v.

12 THE MOUNTAINEERS,

13 Defendant.
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Case No. C19-1819RSL-TLF

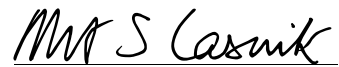
ORDER SETTING TRO
BRIEFING SCHEDULE

15 On May 19, 2023, defendant The Mountaineers filed a motion for a temporary restraining
16 order, asking the Court to “maintain the *status quo ante*” and restrain plaintiff from taking any
17 actions that would impair, hinder, or prevent defendant from accessing and using the Kitsap
18 Forest Preserve as necessary to host its summer theatrical productions at the Kitsap Forest
19 Theater, pending the Court’s ruling on the parties’ motions for summary judgment. Dkt. # 139.
20 On May 20, 2023, plaintiff The Mountaineers Foundation filed a notice of intent to oppose the
21 temporary restraining order. Dkt. # 144.

22 Given that defendant’s summer theatrical productions are scheduled to begin on Sunday,
23 May 28, 2023 (with a dress rehearsal scheduled for Saturday, May 27, 2023), *see* Dkt. # 139 at
24 5, the Court asks plaintiff to file its response by 5:00 pm today, May 22, 2023. As the parties
25 have already thoroughly briefed the merits of the easement issue, the Court asks plaintiff to
26 focus its response on why it will be harmed by allowing the access requested, particularly given
27 the timing and circumstances of the upcoming scheduled performances. Defendant may file a
28 reply if it wishes by 12:00 pm Tuesday, May 23, 2023.

1 IT IS SO ORDERED.
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4 DATED this 22nd day of May, 2023.
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8 Robert S. Lasnik
9 United States District Judge
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